

**Screening Form**  
**Low-Effect Incidental Take Permit Determination and**  
**National Environmental Policy Act (NEPA)**  
**Environmental Action Statement**

**I. HCP Information**

**A. HCP Name:** Habitat Conservation Plan for Vintage Ranch Project

**B. Affected Species:** Santa Barbara County distinct population segment of the California tiger salamander (*Ambystoma californiense*)

**C. HCP Size (in stream miles and/or acres):** Approximately 33 acres

**D. Brief Project Description (including minimization and mitigation plans):**

The proposed Vintage Ranch Project includes residential development of about 14.73 acres, with approximately 18.34 acres of preserved natural open space of which approximately 1.0 acre consists of restored native plantings along Black Oak Drive, on a total of approximately 33.07 undeveloped acres. The development design includes the development of 41 lots with an average lot size of 10,277 square feet including single-family homes and the potential for secondary dwelling units. Black Oak Drive, currently an unpaved access road, would be improved, and the existing stream culvert under Black Oak Drive would be expanded and improved. An additional pedestrian undercrossing will be installed to the west of the culvert allowing ample clearance for wildlife movement and pedestrian access.

Vintage Ranch Orcutt, LLC as the legal owners and applicant, request an ITP to authorize the incidental take of the CTS, for a period of 20 years commencing upon the date of approval by the U.S. Fish and Wildlife Service (Service). A 20-year permit period is requested to capture the time necessary to complete the proposed project, to carry out the proposed measures to conserve the species, and to incorporate flexibility into the schedule for these activities in the event unforeseen circumstances arise (e.g., economic factors). Vintage Ranch Orcutt, LLC. is requesting this permit pursuant to section 10(a)(1)(B) of the federal Endangered Species Act of 1973, as amended (Act).

The land to be covered in this HCP comprises an approximately 33.07-acre parcel (APN 101-400-008) located adjacent to Stubblefield Road, between the Miraflores development to the west and the Mesa Verde development to the east in the community of Orcutt within unincorporated Santa Barbara County, California.

The subject of this HCP is the federally Endangered (and state Threatened) CTS (Santa Barbara County DPS). The CTS that occur in the regional vicinity of the parcel occur in the northern edge of the West Los Alamos/Careaga Metapopulation Area. No CTS

occurrences have been documented on the parcel; however, the site is located within the potential range of CTS in Santa Barbara County based upon the Service's map of CTS range and breeding ponds. The parcel is not located within federally designated Critical Habitat for the CTS.

The HCP establishes goals and objectives to ensure operating conservation program is consistent with the conservation and recovery goals established for the species. These goals are developed based upon the species' biology, threats to the species, the potential effects of the covered activities, and the scope of the HCP.

Goal 1: Avoid and minimize take, in the form of injury or mortality, of California tiger salamander

Objective 1.1: Develop avoidance and minimization measures to maintain take at or below the anticipated number of animals subject to incidental take (up to 5 individuals).

Goal 2: Mitigate for impacts to achieve no net loss of California tiger salamander upland habitat.

Objective 2.1: Determine the amount and quality of compensatory mitigation (or applicable conservation credits from an accredited conservation bank) to offset habitat impacts, based on the habitat quality of the area impacted, in the context of CTS reproductive value units as defined by Searcy and Shaffer (2008).

Corresponding to Goal 1 and Objective 1.1, the following measures have been developed to aid in avoidance and minimization of take of CTS that could utilize the project site as upland dispersal or refuge.

1. The disturbance area associated with each work activity will be minimized to the extent practicable.
2. Initial ground disturbing activities shall be conducted during dry weather conditions, to the extent feasible, to minimize the potential for encountering CTS.
3. Initial ground disturbance should occur during the dry season (April through October) when CTS are less likely to be mobile. Should work be delayed and work is required in the wet season, work will not begin until one-half hour after sunrise and will end one-half hour before sunset.
4. Initial ground disturbance shall be postponed if chance of rain is greater than 70% based on the NOAA National Weather Service forecast or within 48 hours following a rain event greater than 0.1 inch. If work must occur during these conditions, a Service-approved biologist shall conduct a clearance sweep of work areas prior to the start of work.

5. All work shall occur during daylight hours.
6. The work area shall remain clean. All food-related trash items shall be enclosed in sealed containers and removed from the site regularly.
7. All vehicles/equipment should be in good working condition and free of leaks. All leaks should be contained and cleaned up immediately to reduce the potential of soil/vegetation contamination.
8. All vehicle maintenance/fueling/staging shall occur not less than 100 feet from any riparian habitat or water body. Suitable containment procedures shall be implemented to prevent spills. A minimum of one spill kit shall be available at each work location near riparian habitats or water bodies.
9. Open trenches and excavations shall be covered or have adequate means of escape (earthen ramps not more than 2:1 slope, wooden boards, etc.).
10. All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
11. Pre-construction Survey: As a condition of ITP issuance, the applicant, will retain Service-approved biologist(s) (i.e., persons in possession of valid recovery permits for and/or persons with demonstrated experience with CTS) to conduct surveys prior to the initiation of construction or, if phased, prior to the initiation of each phase as a measure to minimize take of the CTS. The objective of pre-construction surveys is to locate as many CTS and other native species as possible and move them out of harm's way. These surveys will be conducted within two weeks prior to the start of construction, and upon approval of the Translocation Plan described below, and will include full coverage visual surveys of the project site as well as burrow scoping and excavation within work areas. The Service-approved biologist(s) will be allowed sufficient time to gently hand-excavate burrows and relocate CTS to a Service-approved relocation site. Any soil that is excavated shall be looked through as it is removed to ensure no CTS are in the removed soil. To ensure that diseases are not conveyed between work sites by the Service-approved biologist(s), the fieldwork code of practice developed by the *Declining Amphibian Populations Task Force* should be followed at all times. The results of the pre-construction surveys shall be presented as part of HCP reporting requirements.
12. Capture and Moving of Individuals: Translocations will be conducted by a Service-approved biologist with appropriate necessary permits. The Service-approved biologist will work with the Service to determine the methods of translocation of CTS that may be necessary during project implementation and will propose appropriate relocation site(s) for CTS, if found. All live CTS of any life stage found during the pre-construction surveys (and/or construction monitoring) shall be captured and moved out of harm's to a Service-approved offsite location by a Service-approved

biologist. Captured CTS will immediately be placed in containers with moist soil and plant material from the capture location (if any), and released in designated release areas no more than three (3) hours after capture.

13. Worker Environmental Awareness Program: A Service-approved biologist knowledgeable about CTS as well as their ecological requirements shall conduct worker environmental awareness program (WEAP) training(s) for all personnel who will work onsite during construction. The WEAP training(s) is(are) intended to inform construction crews, field supervisors, equipment operators, and others working onsite about the status and presence of the species, grading and construction activity restrictions, and the avoidance and minimization measures specified in the HCP.
14. Construction Monitoring: A Service-approved biological monitor shall be present during the installation of construction fencing, initial vegetation clearing and grubbing, and earthwork in the form of initial grading and excavation. Any live CTS found during these monitoring events will be captured and relocated to the approved relocation site(s) by an authorized biological monitor. This monitor shall have the authority to order any reasonable measure necessary to avoid the take of CTS and to immediately stop any work or activity that is not in compliance with the conditions set forth in the ITP. The Service Ventura Field Office shall be notified of any “stop work” order and the order shall remain in effect until the issue has been resolved. No construction work will be initiated until the biological monitor determines that the work area is clear of CTS.

Corresponding to Goal 2 and Objective 2.1, in order to determine the amount of mitigation needed, the value of the impacted habitat was calculated using the methodology outlined in Searcy and Shaffer (2008), incorporating the amount of CTS aquatic breeding habit and upland habitat covering the site to be impacted. A mitigation ratio of 1:1 (reproductive value lost: reproductive value conserved) was then applied for impacts to CTS and its habitats. Using the methodology outlined in Searcy and Shaffer (2008) a total loss in reproductive value of 790 will result from the proposed project, which in turn will be compensated for. The Service has determined one credit at the La Purisima Conservation Bank has a reproductive value of 850 units. Therefore, prior to commencing ground-disturbing activities, the applicant will purchase a total of one credit at the La Purisima Conservation Bank.

Monitoring tracks compliance with the terms and conditions of the HCP and ITP. There are three types of monitoring: (1) compliance monitoring tracks the permit holder's compliance with the requirements specified in the HCP and ITP; (2) effects monitoring tracks the impacts of the covered activities on the covered species; and (3) effectiveness monitoring tracks the progress of the conservation strategy in meeting the HCP's biological goals and objectives (includes species surveys, reproductive success, etc.). Monitoring provides information for making adaptive management decisions. The monitoring measures that will be implemented to ensure compliance and/or determine if the biological goals and objectives are being met. Annual reports and a final

report will be submitted to the Service by December 31 of each year for the duration of the 20-year permit term when construction and/or initial ground disturbing activities (new habitat impacts) take place in a calendar year. Operations and maintenance of proposed activities does not require submission of an annual report.

## **II. Does the HCP fit the following Department of Interior and Fish and Wildlife Service categorical-exclusion criteria?**

### **A. Are the effects of the HCP minor or negligible on federally listed, proposed, or candidate species and their habitats covered under the HCP?**

Yes, the effects of the HCP are negligible on the federally listed California tiger salamander and its habitat. The proposed project would result in the loss of approximately 15 acres of upland habitat that is on the periphery of California tiger salamander habitat (within 1.3 miles of breeding ponds). Although the project area is comprised of undeveloped upland habitat that is suitable for the California tiger salamander, the site is surrounded to the north, east, south, and west by other residential developments and there is no direct connectivity to other suitable upland habitats and aquatic breeding habitat. The onsite habitat also does not represent a large block of habitat that is essential to meeting recovery criteria within the metapopulation. In addition, the HCP includes avoidance and minimization measures which would reduce impacts to individual California tiger salamander as well as mitigation to offset unavoidable impacts to the California tiger salamander by purchasing mitigation credits at the Service-approved La Purisima Conservation Bank. Therefore, given the small size of impacts, the location of the proposed project, the project's proximity to existing development, and the minimization and mitigation measures being proposed by the applicant, the project would have minor or negligible effects on the California tiger salamander.

### **B. Are the effects of the HCP minor or negligible on all other components of the human environment, including environmental values and environmental resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, environmental justice, etc.), after implementation of the minimization and mitigation measures?**

Yes, the effects of the HCP are minor or negligible on all other components of the human environment, including environmental values and environmental resources. The Vintage Ranch housing project includes the development of 41 single-family homes on approximately 15 acres as well as the preservation of approximately 18 acres of open space with the approximately 33-acre parcel. The project site is surrounded by low-density residential developments to the north and the moderate density Miraflores residential neighborhood to the west. The Mesa Verde and Rice Ranch residential subdivision projects are located to the east and south, respectively. The project is an infill housing project as it is completely surrounded by these aforementioned existing residential housing developments. Given that the covered activities in the HCP includes the same covered activities as these existing residential developments and these existing projects have had minor or negligible effects on all components of the human environment, we expect this project would have similar effects on all components of the human environment that would be considered minor or negligible under NEPA.

### **C. Would the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions (regardless of what agency or person undertakes such other actions) not result, over time, in a cumulative effects to the human environment (the natural and physical environment) which would be**

### **considered significant?**

Yes, the incremental impacts of this HCP, considered together with the impacts of other past, present, and reasonably foreseeable future actions, would not result, over time, in a cumulative effect to the human environment that would be considered significant. The proposed project is an infill project and is surrounded by existing residential developments to the north, south, east, and west. None of these existing developments have significant environmental effects that have risen to the level of significance under NEPA. Because the Vintage Ranch includes the same covered activities as these existing residential developments, the Service expects the Vintage Ranch project would have similar effects to these existing projects and would not have any cumulative effects to the human environment that would be considered significant. There are no other reasonably foreseeable future actions proposed in the immediate project vicinity. Therefore, when considered together with the other past and present actions, implementation of the HCP would not have cumulatively significant environmental effects under NEPA.

### **III. Do any of the exceptions to categorical exclusions (extraordinary circumstances) listed in 43 CFR 46.215 apply to this HCP?**

#### **Would implementation of the HCP:**

##### **A. Have significant impacts on public health or safety?**

No, implementation of the HCP, which includes construction of single-family homes within an approximately 15-acre area, would not have significant impacts on public health or safety.

##### **B. Have significant impacts on such natural resources and unique geographic characteristics as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resources?**

No, implementation of the HCP would not have significant impacts on natural resources or unique geographic characteristics such as: historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990) or floodplains (Executive Order 11988); national monuments; migratory birds, eagles, or other ecologically significant or critical resource because none of these natural resources or unique geographic characteristics exist within the plan area.

##### **C. Have highly controversial environmental effects (defined at 43 CFR 46.30), or involve unresolved conflicts concerning alternative uses of available resources [see NEPA section 102(2)(E)]?**

No, issuance implementation of the HCP would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.

**D. Have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks?**

No, implementation of the HCP would not have highly uncertain and potentially significant environmental effects, or involve unique or unknown environmental risks.

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?**

No, implementation of the HCP would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant negative environmental effects. As previously discussed, the proposed project is not expected to have any environmental effects that would rise to the level of significant under NEPA. The covered activities are consistent with the current allowable land uses in the area. Because the proposed Plan is consistent with current land uses in the project area and is not anticipated to result in any effects that would rise to a level of significance, implementation of the HCP would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

**F. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?**

No, the proposed Vintage Ranch Project does not have direct relationship to any other actions in the area and, therefore, implementation of the HCP does not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

**G. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places?**

No, implementation of the HCP would not have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places because none of these sites occur within the plan area.

**H. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?**

No, implementation of the HCP would not have significant impacts on the California tiger salamander, which is the only listed species known to occur in the area. Implementation of the HCP would not have any impacts on designated critical habitat as none exists within the plan area. The proposed project is located on the periphery of suitable California tiger salamander habitat (within 1.3 miles of breeding ponds) and does not represent a large block of habitat that is essential to meeting recovery criteria within the metapopulation. We expect a very low number of California tiger salamander individuals could be taken as a result of the project. The proposed project area is surrounded by existing housing development and is an infill project with a small



area of impact. In addition, the HCP includes avoidance and minimization measures which would reduce impacts to individual California tiger salamander as well as mitigation to offset unavoidable impacts to the California tiger salamander by purchasing mitigation credits at the Service-approved La Purisima Conservation Bank.

Therefore, given the small size of impacts, the location of the proposed project, the project's proximity to existing development, the remaining available upland within the metapopulation, and the minimization and mitigation measures being proposed by the applicant, the project would have minor or negligible effects on the California tiger salamander.

**I. Violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment.**

No, implementation of the HCP would not violate a Federal law, or a State, local, or tribal law, or a requirement imposed for the protection of the environment. The applicant is working with other agencies to seek necessary permits and approvals to comply with all other Federal, State, and local laws and requirements.

**J. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).**

No, implementation of the HCP would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). The applicant will comply with the County's Inclusionary Housing Ordinance by paying in-lieu fees for affordable housing.

**K. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).**

No, implementation of the HCP would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites because no such sacred sites occur within the plan area.

**L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).**

No, implementation of the HCP would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. Conversely, the applicant will implement weed abatement measures that will improve habitat quality in the areas that will be maintained as open space area as part of the proposed project. These measures include success criteria that consist of maintaining stable native vegetation conditions in the open space area with incorporation of weed abatement techniques for the removal of weeds that could result in decline of habitat quality or change in habitat type.